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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/491,286	01/25/2000	Rose K. Davis	M-8086 US	8352

24251 7590 03/18/2002

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EXAMINER

PWU, JEFFREY C

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 03/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

24

# Office Action Summary

Application No.

09/491,286

Applicant(s)

DAVIS ET AL.

Examiner

Jeffrey C Pwu

Art Unit

2164

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

***DETAILED ACTION***

***Title***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by

*Revashetti* et al. (US 6,<sup>230,199</sup>~~122,625~~).

*Revashetti* et al. teach:

(Claims 1-12) A method of comparing a description of an item for an online auction, said method comprising: *see abstract; col.1, lines 5-11, 50-55; col.2, lines 5-10, 32-36, 45-36, 45-49, 55-62; col.5, line 55-59; col.6, lines 55-64; col.9, lines 23-45;*

*col.10, lines 17-44; col.11, lines 5-15; col.12, lines 5-10; col. 13, lines 5-10;  
col.15, lines 10-30; col.18, lines 40-60; col. 19, lines 10-20; col. 21, lines 20-45  
and col.21, line 63-col.22, line 13.*

receiving a unique code corresponding to the item at a first computer system;  
retrieving one or more characteristics corresponding to the unique code from  
a data storage area; and

transmitting the one or more characteristics to a requestor;

connecting the first computer system to a computer network;

wherein the requestor includes a second computer system, the second  
computer system being connected to the computer network; and wherein the  
transmitting includes sending data across the computer network to the second  
computer system;

displaying the one or more characteristics on a display screen connected to  
the second computer system; and modifying the one or more characteristics using an  
input device connected to the second computer system;

sending the configuration from the second computer system to the first  
computer system ;

receiving the configuration at the first computer system;

updating the one or more characteristics stored in the data storage area based on the configuration.

determining one or more compatible subparts for the item; and

transmitting the one or more compatible subparts to the requestor.

(Claims 13-22) A method of upgrading/purchasing a computer system, said method comprising: *see col.1, lines 5-11, 50-55; col.2, lines 5-10, 32-36, 45-36, 45-49, 55-62; col.5, line 55-59; col.6, lines 55-64; col.9, lines 23-45; col.10, lines 17-44; col.11, lines 5-15; col.12, lines 5-10; col. 13, lines 5-10; col.15, lines 10-30; col.18, lines 40-60; col. 19, lines 10-20; col. 21, lines 20-45 and col.21, line 63- col.22, line 13.*

receiving a list of one or more configuration items in the computer system;

determining a list of one or more components, the one or more components compatible with the computer system;

selecting a component from the one or more substitute components;

ordering the replacement components;

accessing a computer network, the computer network connected to a merchant computer;

displaying the price on the display screen;

wherein the ordering includes sending the merchant a purchase request for the replacement component.

analyzing an old computer system resulting in an old computer configuration;  
receiving new computer configuration data corresponding to the new  
computer system;

comparing the old computer configuration with the new computer  
configuration resulting in one or more re-usable components; and

ordering the new computer system without one or more re-usable  
components.

(Claims 23-24) A computer system comprising: *See col.2, lines 5-10, 32-36, 45-36, 45-49, 55-62; col.5, line 55-59; col.6, lines 55-64; col.9, lines 23-45; col.10, lines 17-44; col.11, lines 5-15; col.12, lines 5-10; col. 13, lines 5-10; col.15, lines 10-30; col.18, lines 40-60; col. 19, lines 10-20; col. 21, lines 20-45 and col.21, line 63-col.22, line 13.*

a processor;

a nonvolatile memory coupled to the processor;

a communication port connecting the computer the computer system to a computer network;

a computer program stored in the nonvolatile memory and executed by the processor, wherein the computer program operates to:

send a unique code to a second computer system, the second computer system being connected to the computer network;

receive configuration data corresponding to the unique code form the second computer system; and

transmit an auction description to an auction computer, the auction description including the configuration data and the auction computer being connected to the computer network;

access a merchant computer system, the merchant computer system connected to the computer network;

select a new computer system available from the merchant computer system;  
receive new configuration data corresponding to the new computer system;  
and

compare the new configuration data with the configuration data resulting in one or more compatible components.

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey Pwu whose telephone number is (703) 308-7835.

***Jeffrey Pwu***

A handwritten signature in black ink, appearing to read 'Jeffrey Pwu', with a stylized flourish at the end.

***Mar 8, 2002***